

BILL NO. S-69-06-17

SPECIAL ORDINANCE NO. S-276-69

AN ORDINANCE authorizing the sale of real estate on the Baer Field Municipal Airport.

WHEREAS, the City of Fort Wayne is the owner of real estate north of Ferguson Road at the Baer Field Municipal Airport described as follows:

Part of the Southeast Quarter of the Southeast Quarter of Section 5, Township 29 North, Range 12 East in Allen County, Indiana, described as follows, to wit:
Beginning at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 5, Township 29 North, Range 12 East in Allen County, Indiana; thence South 1 degree, 18 minutes East, 642.8 feet along the East line of the said Southeast Quarter of the Southeast Quarter of Section 5, Township 29 North, Range 12 East to the centerline of "C" Street in the Plat of Baer Field, a Municipal Airport of the City of Fort Wayne, Indiana; thence South 88 degrees, 11 minutes West 298.5 feet along the said centerline of "C" Street; thence North 1 degree, 41 minutes West 648.2 feet to the North line of the said Southeast Quarter of the Southeast Quarter of Section 5, Township 29 North, Range 12 East; thence North 89 degrees, 13 minutes East 300.7 feet along the said last described line to the place of beginning, containing 4.44 acres of land, more or less, subject to an easement over the South 25.0 feet thereof the North half of the right-of-way of "C" Street and also subject to all easements, building lines and set-back provisions as established and designated by the Board of Aviation Commissioners of the City of Fort Wayne, Indiana.

WHEREAS, said real estate is presently under the jurisdiction of the Board of Aviation Commissioners of said City; and

WHEREAS, said Board has determined that it will be to the best interest of the City of Fort Wayne to grant and sell said

real estate in fee simple, the sale price thereof to be a sum in cash not less than the full appraised value thereof as determined by the appraisers herein below provided, said appraisers to be appointed in the manner required by law prior to the sale of Municipal lands, and provided further, that such grant and sale be made for a sum not less than such appraised value;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne and the Board of Aviation Commissioners of said City be, and they hereby are authorized and directed in the name of and for and in behalf of said City to sell the real estate described above in fee simple, the sale price thereof to be a sum in cash not less than the full appraised value thereof as determined by the appraisers hereinbelow provided, and the instrument granting and conveying said real estate to contain and be subject to such other terms and conditions as said Board of Aviation Commissioners shall consider necessary or advisable in the best interests of said City.

SECTION 2. That upon full payment of the purchase price of said real estate to the City, the Mayor and the said Board of Aviation Commissioners, in the name of and for and in behalf of said City, shall be, and they hereby are, authorized and directed to execute and deliver an instrument granting and conveying said above described real estate in fee simple. The signature of the

Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne, and accompanied by the seal of said City.

SECTION 3. That the Judge of the Allen Circuit Court be, and he hereby is, requested to appoint three (3) disinterested freeholders of the City of Fort Wayne to appraise and determine the value of the above described real estate with a view to the sale of same, and prior to such appraisalment, the Board of Aviation Commissioners shall advise said appraisers of the terms and conditions to be included in the instrument of conveyance which said Board considers necessary or advisable in the best interests of said City.

SECTION 4. That this Ordinance shall be and constitute sufficient authority for the Mayor, the Board of Aviation Commissioners, and the City Clerk of the City of Fort Wayne, Indiana, to effect the sale, grant and conveyance of said above described real estate in fee simple, subject to the provisions hereinabove set out and to do all things incidental thereto or necessary therefor.

SECTION 5. This Ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by Nuckols seconded by Steigerwald and duly adopted, read the second time by title and referred to the (Committee on) Public Works (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 196____, at _____ o'clock P.M., E.S.T.

Date: 6-24-69

Fuad G. Bonachoon
City Clerk

Read the third time in full and on motion by Nuckols seconded by Geake and duly adopted, placed on its passage.
Passed (~~LOST~~) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	<u> </u>	ABSENT	<u> </u>	to-wit:
Adams	<u>✓</u>							
Dunifon	<u>✓</u>							
Fay	<u>✓</u>							
Geake	<u>✓</u>							
Nuckols	<u>✓</u>							
Robinson	<u>✓</u>							
Rousseau	<u>✓</u>							
Steigerwald	<u>✓</u>							
Tipton	<u>✓</u>							

Date 7-8-69

Fuad G. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 5-276-69

on the 8th day of July, 1969.

ATTEST: (SEAL)

Fuad G. Bonachoon
City Clerk

Herbert H. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of July, 1969 at the hour of 5:30 o'clock 17 .M., E.S.T.

Fuad G. Bonachoon
City Clerk

Approved and signed by me this 9th day of July, 1969, at the hour of 9:31 o'clock A .M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-69-06-17

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
authorizing the sale of real estate on the Baer Field Municipal Airport,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Yes PASS.

JOHN NUCKOLS, Chairman

EDWIN J. ROUSSEAU, Vice-Chairman

THOMAS G. ADAMS

CELIA ANN FAY

JOHN H. ROBINSON

John Nuckols
Edwin J. Rousseau
Thomas G. Adams
Celia Ann Fay
John H. Robinson

CONCURRED IN
DATE 7-8-69 FUAD G. BONAHOOM, CITY CLERK